

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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David S.,¹

Plaintiff,

vs.

ORDER ADOPTING THE
REPORT AND RECOMMENDATION

Kilo Kijakazi,
Acting Commissioner of Social Security,

Defendants

Civil No. 19-3137 (ADM/LIB)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. Plaintiff's Counsel's Motion for Attorney Fees Under 42 U.S.C. § 406(b), [Docket No. 40], is **GRANTED**, as set forth herein;
2. Plaintiff's counsel is awarded attorney's fees in the amount of \$12,503.50; and
3. Upon receipt of the presently awarded attorney's fees, Plaintiff's counsel is required to refund to Plaintiff the previously awarded EAJA fees, in the amount of \$5,713.00.

DATED: November 16, 2023
At Minneapolis, Minnesota

s/Ann D. Montgomery
Ann D. Montgomery, Judge
United States District Court

¹ This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in Social Security opinions such as the present Order. Accordingly, where the Court refers to Plaintiff by his name only his first name and last initial are provided.